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RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: D. Krah Attorney Docket No.: KTW0122671
Application No.: 10/828,544 Art Unit: 3618 / Confirmation No.: 3881
Filed: April 20, 2004 Examiner: J.A. Shriver
Title: KLOP SKATE HAVING PUSHING AND PULLING CAPABILITIES

TRANSMITTAL LETTER FOR RESPONSE
AFTER FINAL REJECTION UNDER 37 C.F.R. § 1.116

Seattle, Washington 98101
December 12, 2005

TO THE COMMISSIONER FOR PATENTS:

A. Response Transmittal

Transmitted herewith is a response to an Office Action in the above-identified application. No additional claim fee is required.

B. Additional Fee Charges or Credit for Overpayment

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 03-1740. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: December 12, 2005
LXC:mmw

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RESPONSE

Seattle, Washington 98101

December 12, 2005

TO THE COMMISSIONER FOR PATENTS:

This paper is filed in response to the final Office Action mailed on October 12, 2005. Currently, Claims 29-35, and 37-41 are pending in the application. Of these, Claims 30-34 are withdrawn from consideration. Claims 29, 35, and 37-41 have been examined and stand rejected. Reconsideration of Claims 29, 35, and 37-41 is respectfully requested.

The Rejection of Claims 29, 35, 37, 38, 40, and 41 Under 35 U.S.C. § 102(e)

Claims 29, 35, 37, 38, 40, and 41 are rejected under 35 U.S.C. § 102(e) as being anticipated by Svensson et al. (U.S. Patent No. 6,120,040). Applicant respectfully traverses the rejection.

For a reference to be anticipatory, the reference must exactly describe the claimed invention. Claim 29 recites, "wherein the frame is balanced to prevent substantial biasing of the frame towards the base and away from the base", and Claim 35 recites, "wherein the base is neutrally biased." Claims 37, 38, 40, and 41 depend from Claim 35.

The Examiner states, "the frame is balanced to prevent substantial biasing of the frame towards the base and away from the base (See Figs. 6-7 and column 14, lines 26-44); [claim 35]

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